IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6797 OF 2004

Shri Kulkarni Anil Panditrao] .. Petitioner

Versus

1. Senior Superintendent, Post Offices, G.P.O., Solapur & 4 ors.] .. Respondents

Mr. I.M. Khairadi for the petitioner.

CORAM: R.M. LODHA, J.

DATED: 21ST JULY, 2006

P.C. :

. This is second inning of the litigation concerning the dismissal of the petitioner from service.

2. In the year 2000, the petitioner was posted as Branch Post Master, Chikharde, District Solapur. He is alleged to have misappropriated an amount of Rs.1,900/-. The order of suspension came to be passed on 3rd April, 2000. The disciplinary proceeding to enquire into the charge of misconduct was instituted. After holding the enquiry, by order dated 12th September, 2001 he was dismissed from service. He filed the departmental Appeal against the order of dismissal which came to be

dismissed on 28th June, 2002. Then he preferred Writ Petition before this Court. Vide order dated 9th December, 2003, this Court disposed of the Writ Petition and directed the petitioner's Appeal dated 8-12/8/20-02 under Rule 19 of the Department of Posts, Gramin Dak Sevaks (Conduct & Employment) Rules 2001, to be heard and disposed of. Pursuant to the order passed by this Court on 9th December, 2003, the Chief Post Master General, Maharashtra Circle, heard the Appeal preferred by the petitioner and by the order dated 8th March, 2004, the appeal was dismissed.

3. The petitioner being an employee of the Postal Department of Government of India, has a remedy of judicial review under the Administrative Tribunals' Act, 1985 against the dismissal order and the rejection of the Departmental Appeals. Invocation of Writ jurisdiction under Article 226 of the Constitution of India directly bypassing the Central Administrative Tribunal is barred. In this view of the matter, Writ Petition does not deserve to be entertained and it is dismissed accordingly.

Sd/-
[R.M. LODHA, J.]